

REMARKS

Reconsideration is requested.

Claims 4 and 7-26 are pending. Claims 10-14 and 16 have been withdrawn from consideration. Claims 4, 7-9, 15 and 17-26 are under active consideration.

The Section 112, second paragraph, rejection of claims 4, 7-9, 15 and 17-26 is traversed. The transition terms and phrases of the claims, such as "consisting essentially of" and "consisting of", are well known in the art. The applicants believe that their position with regard to the presence or absence of water has been clearly stated and explained. The additional feature of the claims stated above additionally defines over the art. The claims are submitted to be definite and patentable over the art, for the further reasons detailed below. Support for the above amendment is believed to be found in ¶[0013] of the published application (i.e., U.S. Patent Application Publication No. 2002/051796). No new matter has been added. Withdrawal of the Section 112, second paragraph, rejection is requested.

The Section 103 rejection of claims 4, 7-9, 15, 17-22, 25 and 26 over Higo (WO 96/16642) in view of Hori (U.S. Patent No. 4,500,683) is traversed. Reconsideration and withdrawal of the rejection are requested in view of the following distinguishing comments.

The applicants acknowledge, with appreciation, the Examiner's recognition that the claims are novel over the cited art. The claims are also submitted to be patentable over the combination of cited art.

Specifically, the presently claimed invention provides, for the first time, a solution which cleanses and treats the skin through instantaneous release of active substances

simultaneously with a cleansing action. As described in ¶[0010] and examples 1 to 3 of the present application, the particular properties exhibited by the colorless solution of the claimed invention, which render it useful for the purpose of obtaining a particular skin-cleansing and treating device, result from the claimed combination of the recited components.

Higo teaches a matrix type patch formulation, the preparation of which includes a step of preparation of a solution. The solution described in Higo however differs from the solution of the presently claimed invention at least by the absence of an organic solvent and of the particular specifically-recited self-adhesive hydrophobic copolymer. The cited art fails to teach or suggest the specific combination of claimed elements or the advantages of the claimed components. Withdrawal of the Section 103 rejection is requested.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. Rejoinder and allowance of the withdrawn method claims are also requested.

The Examiner is requested to contact the undersigned in the event anything further is required in this regard.

GUERET
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Respectfully submitted,

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